

Application No.: 10/801,326

Docket No.: EL-0545 US NA

Remarks

The foregoing amendments and following remarks are responsive to the April 8, 2005 Office Action. Applicants respectfully requests reconsideration.

Status of the Claims

Claims 1-8 are amended. Claims 9-17 are added. Claims 1-17 are pending.

Support for Amended and Added Claims

Support for the amended claims is throughout the specification and particularly on page 6, lines 20-23; page 7, lines 13-16; and page 8, Table 2. Support for the added claims is throughout the specification and particularly on page 3, lines 15-16 and page 4, lines 6-10, in addition to the above-noted passages. No new matter is added.

Rejections under 35 U.S.C. § 112, 2nd paragraph

Claims 6 and 7 were rejected under 35 U.S.C. §§ 112, 2nd paragraph, as being indefinite. Claims 6 and 7 are amended rendering the rejections moot.

Rejection under 35 U.S.C. § 102(b)

Claims 1-5 and 8 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,514,321 to Siuta (the Siuta patent). Claims 1-5 and 8 are amended to clarify the invention.

Applicants' invention relates to an electrode powder composition and paste composition. The electrode powder composition consists essentially of copper powder, cuprous oxide powder, and lead germanate glass powder. The electrode powder composition is essentially the paste composition minus the organic vehicle, as the composition of powders in Claim 1 remain upon processing the paste composition.

The Siuta patent relates to a thick film copper-containing conductor composition. The composition includes a mixture of finely divided particles of a) a conductive material containing copper metal; b) inorganic binder; and c) 0.2-5% wt. of a non-cuprous metal selected from the group consisting of tungsten, molybdenum, rhenium and alloys and mixtures thereof all dispersed in organic medium.

In view of the disclosure in the Siuta patent requiring the addition of a non-cuprous metal to the composition, the Siuta patent fails to anticipate the invention, and the rejection should be withdrawn. Reconsideration and withdrawal of the rejection is respectfully requested.

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Rejection under 35 U.S.C. § 103(a)

Claim 7 was rejected under 35 U.S.C. § 103(a) as being obvious over the Siuta patent in view of U.S. Patent No. 5,766,305 to Watabe (the Watabe patent). Claim 7 is amended to clarify the invention.

The arguments set forth above with regard to the rejection under 35 U.S.C. § 102(b) based on the Siuta patent are reasserted herein as if set forth at length. The Watabe patent relates to copper and titanium powder compositions. The Watabe patent fails to teach or suggest substituting germanium by titanium. Moreover, no motivation is provided by the Watabe patent to substitute germanium by at least one of silicon, zirconium, and titanium, or to modify the Siuta patent and arrive at the claimed invention.

The addition of the Watabe patent to the Siuta patent fails to cure the deficiencies of the Siuta patent and the rejection should be withdrawn. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

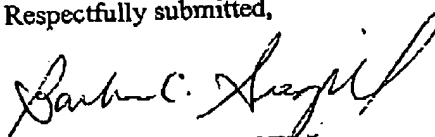
Fees

A Petition for a Two-Month Extension of Time (and accompanying fee) are enclosed. No additional fees are believed due. The Commissioner is authorized, however, to charge (or credit any balance) any fees deemed due (or owing) to Deposit Account 04-1928 (E. I. du Pont de Nemours and Company).

Conclusion

It is respectfully submitted that Claims 1-17 are in condition for allowance. A Notice of Allowance is respectfully requested. If anything further is needed to advance allowance of this application, the Examiner is urged to contact Applicant's attorney at the telephone number below.

Respectfully submitted,



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